

Tuesday, August 1, 2000, 9:30 A.M.

CHARLES V. SMITH
CHAIRMAN
First District

THOMAS W. WILSON
SUPERVISOR
Fifth District

Michael Schumacher
Laurence M. Watson
Darlene J. Bloom

PLEDGE OF ALLEGIANCE: Supervisor Wilson, Fifth District, led the assembly in the Pledge of Allegiance

Chairman Smith presented a resolution recognizing Gym Max Gymnastics Team of Costa Mesa for their first place win in Beijing, China

53241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS
CONTINUED TO 9/12/00, 9:30 A.M.; ITEM 10 WHICH WAS PULLED FOR DISCUSSION
AND SEPARATE VOTE AND ITEMS 39 - 42 WHICH RECEIVED A NO VOTE FROM
SUPERVISOR SILVA**

MINUTES - BOARD OF SUPERVISORS' MEETING, TUESDAY, AUGUST 1, 2000 - PAGE 1

S U M M A R Y A C T I O N M I N U T E S

1. **Chairman Smith** - Comprehensive Economic Development Strategy Committee - Reappoint Patti Nunn and Ruben Alvarez, Santa Ana, for terms ending 7/1/02
2. **Supervisor Silva** - Regional Recreational Trails Advisory Committee - Reappoint Frank Colver, Costa Mesa, for term ending 3/23/02

Supervisor Wilson:

3. Santa Ana Heights Project Advisory Committee - Appoint Robert E. Banghart, Santa Ana Heights, for term ending 5/20/02
 4. Airport Land Use Commission - Reappoint Charles Zoffer, Laguna Woods, for term ending 5/1/04 (Continued from 7/20/00, Item 2)
- 53241 **CONTINUED TO 9/12/00, 9:30 A.M.**

COMMENDATIONS/PROCLAMATIONS

5. **Supervisor Coad** - Adopt resolution commending CalOPTIMA and their program, "Healthy Moms Having Healthy Babies" and for receiving the 9th Annual Award of Excellence
RESO: 00-248
6. **Supervisor Wilson** - Adopt resolution commending Janie Arnold for her outstanding service to Senior Citizens Advisory Council
RESO: 00-249

HEALTH CARE AGENCY

7. Approve price agreement N1000002930 with KWIZ-FM Radio Station for radio commercial broadcasting for Womens, Infants and Children Program outreach campaign, 8/1/00 - 7/31/01 (\$100,000) - All Districts

HOUSING AND COMMUNITY DEVELOPMENT

8. Approve agreement with Community Development Council, Inc. for continued operation of Anaheim Independencia Community Center, 7/1/00 - 12/31/00 - District 2

PLANNING AND DEVELOPMENT SERVICES

9. Approve assignment and assumption agreements with Greystone Homes, Inc.; K. Hovnanian at the Gables, LLC; D.R. Horton Los Angeles Holding Company, Inc.; Richmond American Homes of California, Inc. and DMB Ladera, LLC related to acquisition of properties from DMB Ladera, LLC, Tracts 15884 and 15827, Ladera Planned Community - District 5
 10. Approve agreement with Rancho Santa Margarita Joint Venture regarding use of affordable unit credits generated in Rancho Santa Margarita and Rancho Trabuco Planned Communities including \$300,000 payment to County for other affordable housing programs - Districts 3 & 5
- 35241 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

11. Approve agreement with Lake Forest for annexation transitional services - District 3

S U M M A R Y A C T I O N M I N U T E S

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

12. Approve agreement 00-0117S with State Department of Pesticide Regulation for data entry of pesticide use reports, 7/1/00 - 6/30/01 (\$17,704) - All Districts
13. Approve agreement 00-0032L with State Department of Pesticide Regulation for mandated enforcement of pesticide permit regulations, 7/1/00 - 6/30/01 (\$61,705) - All Districts
14. Authorize release of bonds for private street improvements, street lights, sewer and water systems and monumentation, Tract 15462, Baywood Homes-Rancho Santa Margarita, L.L.C., Rancho Santa Margarita - District 5
15. Receive and file Traffic Committee Reports dated 6/15/00; approve recommendations; and adopt necessary resolutions - District 5
RESO: 00-250 - 00-252
16. Authorize release of bonds for private street improvements, street lights, sewer and water systems and monumentation, Tract 15481, Baywood Homes-Rancho Santa Margarita, L.L.C., Rancho Santa Margarita - District 5
17. Authorize release of security for monumentation, Tract 13910, Coto de Caza, Ltd., Coto de Caza area - District 5
18. Approve agreement D00-043 with Orange County Natural History Association for office space for park ranger, Aliso & Wood Canyons Wilderness Park, 7/1/00 - 6/30/03 - District 5
19. Approve amended agreement D95-046 with Orange County Transportation Authority for indemnification provisions and disposal methods for excess right-of-way acquired under Measure M - All Districts
20. Approve agreement D00-060 with FMInternational, Inc. for development and implementation of Asset Management Program for County buildings and infrastructure, Phases I & II (\$247,000) - All Districts
21. Authorize Auditor-Controller to disburse payment to Regents of the University of California for Cooperative Extension services and 4-H Youth Programs, FY 2000-01 (\$125,000) - All Districts
22. Approve price agreement N1000002988 with Vicki Gray to administer and coordinate ten cable television franchises, 8/1/00 - 7/31/01 (\$68,640); renewable for two additional years - All Districts
23. **Acting as the Orange County Flood Control District** - Approve continuance of emergency and repair work; make appropriate findings pursuant to Public Contract Code Section 22050 regarding potential risk of flood damage, Fullerton Creek Channel, due to incomplete construction project; receive and file status report; and agendaize matter on 8/15/00, 9:30 a.m., for further consideration - District 4 (4/5 vote) (Continued from 5/23/00, Item 50; 6/6/00, Item 16; 6/20/00, Item 30; 6/27/00, Item 19; 7/20/00, Item 56)

SOCIAL SERVICES AGENCY

S U M M A R Y A C T I O N M I N U T E S

- 24 . Approve amended price agreement N3000001487 with Standard Tel Incorporated for maintenance of Voice Messaging Systems, 6/1/00 - 5/31/01 (\$20,761; new total \$52,240) - All Districts
- 25 . Approve agreement with New Millennium Community Coalition, dba Special Children's Connection Preschool for childcare, educational and special services to abused and homeless children, FYs 2000-03 (\$60,000 per year) - All Districts

PUBLIC PROTECTION

Probation:

- 26 . Approve amendment 4 to lease with Donna F. Soden for North County Field Service office space, Anaheim; and make California Environmental Quality Act findings - District 4
- 27 . Receive and file FY 1999-00 Annual Status Report on Batterer's Treatment Programs - All Districts
- 28 . Approve price agreement N1000002967 with RAND for program evaluation services for Challenge Grant II Program components, 7/1/00 - 9/30/02 (\$255,885) - All Districts (Continued from 7/20/00, Item 69)
- 29 . Approve agreement with Community Service Programs, Inc. for provision of 8% Early Intervention Program services at North Orange County Youth and Family Resource Center, 8/1/00 - 7/31/01, renewable for one additional year - Districts 2, 3 & 4

Sheriff-Coroner:

- 30 . Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 to upgrade infrastructure to support new system providing disaster recovery to the Department of Justice California Law Enforcement Telecommunications System; receive and file status report; and agendaize matter on 8/15/00, 9:30 a.m., for further consideration - All Districts (4/5 vote) (Continued from 5/16/00, Item 36; 5/23/00, Item 35; 6/6/00, Item 2; 6/20/00, Item 41; 6/27/00, Item 26; 7/20/00, Item 82)
- 31 . Approve amendment 3 to agreement with Rancho Santiago Community College District for continuing education classes for inmates, extending term to 6/30/01 - All Districts
- 32 . Approve amendment 4 to agreement with Rancho Santiago Community College District for vocational education programs for inmates, extending term to 6/30/01 - All Districts
- 33 . Approve amendment 3 to agreement with Rancho Santiago Community College District for General Education Development testing of inmates, extending term to 6/30/01 - All Districts

GENERAL ADMINISTRATION

County Executive Office:

- 34 . Approve renewal of price agreement N1000002569 with Yamamoto Landscaping for landscape maintenance services, North Justice Center, Fullerton, 8/1/00 - 7/31/01 (\$39,000);

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renewable for two additional years; and make appropriate findings - District 3

35. Approve price agreement N1000002571 with Toyo Landscaping Company for landscape maintenance services, Lamoreaux Justice Center, Orange, 8/1/00 - 7/31/01 (\$20,300 per year); renewable for two additional years; and make appropriate findings - District 4
36. Approve price agreement N1000002575 with Midori Gardens for landscape maintenance services, South Justice Center, Laguna Niguel, 8/1/00 - 7/31/01 (\$28,067 per year); renewable for two additional years; and make appropriate findings - District 5
37. Approve price agreement N1000002915 with Advanced Building Maintenance Company for janitorial maintenance services, North Justice Center, Fullerton, 8/1/00 - 7/31/01 (\$118,800 per year); renewable for two additional years; and make appropriate findings - District 3
38. Approve amended Article XXIV, Section 11,B of the Personnel and Salary Resolution and Article IV, 4.1 of the County of Orange 401(a) Plan Document to include Executive Director of the Local Redevelopment Authority, effective 7/20/00 - All Districts

Supervisor Spitzer:

39. Approve Community Social Program Grant funds to Orange County Marine Corps Memorial Foundation; approve budget adjustments; and make appropriate findings, 8/1/00 - 11/30/00 (\$1,000)

53241 **APPROVED AS RECOMMENDED**
N

40. Approve Community Social Program Grant funds to The Orange County Senior Games; approve budget adjustments; and make appropriate findings, 8/1/00 - 9/30/00 (\$2,500)

53241 **APPROVED AS RECOMMENDED**
N

Supervisor Wilson:

41. Approve Community Social Program Grant funds to Orangewood Children's Foundation 44 Women for Children; approve budget adjustments; and make appropriate findings, 8/1/00 - 1/31/01 (\$5,000)

53241 **APPROVED AS RECOMMENDED**
N

42. Approve Community Social Program Grant funds to Rancho Mission Viejo Land Conservancy; approve budget adjustments; and make appropriate findings, 8/1/00 - 1/31/01 (\$1,000)

53241 **APPROVED AS RECOMMENDED**
N

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 43-S57A)

HEALTH CARE AGENCY

- 43 . Second reading and adoption of "An Ordinance Amending Division 11 of Title 4 of the Codified Ordinances of the County of Orange by Amendment of Sections 4-11-1, 4-11-2, 4-11-7, 4-11-11, 4-11-12 and 4-11-16 relating to the Orange County Health Authority" - All Districts (First reading 6/27/00, Item 50)
- 53241 **APPROVED AS RECOMMENDED**
- ORD: 00-8*
- 44 . Adopt resolution approving amendment 2 to agreement 99-85735 with State Department of Health Services for Women, Infants, and Children Supplemental Nutrition Program, 10/1/99 - 9/30/00 (\$31,516; new total \$5,271,672) - All Districts
- 42351 **APPROVED AS RECOMMENDED**
- RESO: 00-253*
- 45 . Adopt resolution approving agreement 00-70048 with State Department of Mental Health for consolidated Medi-Cal mental health services, 7/1/00 - 6/30/01 - All Districts
- 54231 **APPROVED AS RECOMMENDED**
- RESO: 00-254*

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- 46 . **Acting as the Orange County Flood Control District** - Approve Memorandum of Understanding A-1999-058 with Sheriff/Coroner and Cities of Orange, Santa Ana and Huntington Beach to provide general law enforcement services; authorize Director to add additional parties under the same terms and conditions; and make California Environmental Quality Act findings - All Districts
- 42351 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Sheriff-Coroner:

- 47 . Continued first reading of "An Ordinance of the Board of Supervisors of the County of Orange (County) Adding Article 25 to Title 5, Division 3, of the Codified Ordinances of the County of Orange, Regulating the Operation of Taxicabs and Taxicab Businesses in the Unincorporated Portion of Orange County as a Member of the Orange County Taxicab Administration Program" and set second reading and adoption for 8/8/00, 9:30 a.m. - All Districts ~~DELETED~~
- B.O. **DELETED**
- 48 . Approve amendment 3 to agreement with Stanton for law enforcement services for 7/1/00 - 6/30/01 service level (\$5,030,618) - District 2
- 23451 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

- 49 . Approve five year agreement with San Juan Capistrano for law enforcement services and
7/1/00 - 6/30/01 service level (\$3,837,448) - District 5
53241 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

- 50 . Approve price agreement N1000002926 with ARK Technologies for on-site support of
applications for Assessment Tax System II, 7/1/00 - 6/30/01 (\$282,880); renewable for four
additional years - All Districts
24351 **APPROVED AS RECOMMENDED**
- 51 . Approve proposed response to FY 1999-00 Grand Jury Report "West County Coastal
Watershed Coordinating Committee" - All Districts
54331 **APPROVED AS RECOMMENDED**
- 52 . Approve proposed response to FY 1999-00 Grand Jury Report "The Rainy Season's 'First
Flush' Hits the Harbors of Orange County" - All Districts
42351 **APPROVED AS RECOMMENDED**
- 53 . Approve amendment 2 to lease with Kenneth W. Koll and Katherine B. Heims, Co-Trustees
of the Walter A. Koll Intervivos Trust and sublease to provide storage and office space for
Superior Court (\$6,150; new total \$16,356 per month); make California Environmental Quality
Act findings - District 1
B.O. **CONTINUED TO 8/8/00, 9:30 A.M.**
- 54 . Approve price agreement N10000002262 with Network Television Time for videotaping and
duplicating services, equipment rental, installation and production personnel for video taping of
Board meetings, 8/2/00 - 8/1/01 (\$299,132); direct staff to return to the Board prior to 8/1/01
with a report and evaluation of program for renewal consideration or lease option; approve
one-time costs (\$40,000); authorize negotiation of agreement for delivery of videotapes to
cable stations (\$3,000); and direct CEO to include necessary budget adjustments in 2000-01
First Quarter Budget Reports (\$114,000) - All Districts
35241 **APPROVED AS RECOMMENDED**
N
- 55 . Direct staff and Sacramento legislative advocate to oppose SB 1142 (Dunn) and SB 673
(Escutia), which would remove the County's discretion to expend Tobacco Settlement Funds -
All Districts
12345 **APPROVED RECOMMENDATION 1 TO OPPOSE SB 1142**
A N
- 12345 **APPROVED RECOMMENDATION 2 TO OPPOSE SB 673**

S U M M A R Y A C T I O N M I N U T E S

56. **Chairman Smith** - Approve interim lease with United States of America for property at MCAS El Toro; and make California Environmental Quality Act and other findings
- 15234 **CONTINUED TO 8/8/00, 9:30 A.M. AND DIRECTED STAFF TO INCLUDE ALL REVISED LANGUAGE AND ISSUES RAISED BY THE BOARD**
57. **CEO - Health Care Agency - Sheriff-Coroner Department** - Select College Health Enterprises as primary and Mental Health Systems, Inc. as alternate providers for In-Custody Alcohol and Drug Treatment Program services, Theo Lacy Jail; authorize Health Care Agency to negotiate agreement for Board approval; and approve related budget adjustments and adjustments to fund residential Substance Abuse Program (4/5 vote) - All Districts
- 43251 **APPROVED AS RECOMMENDED**
- S57A. **County Executive Office** - Adopt resolution approving exchange of property tax revenues with City of Laguna Hills for potential annexation of residential areas in conjunction with the incorporation of Aliso Viejo community - District 5
- 53241 **APPROVED AS RECOMMENDED**
- RESO: 00-262*

IV. PUBLIC HEARINGS (Items 58-64)

PLANNING AND DEVELOPMENT SERVICES

58. Public Hearing to consider adopting resolution denying appeal filed by John Fransen and upholding the Planning Commission's approval of Site Development Permits PA99-0151 and PA00-0029 for development of 190 single family dwellings, Newport Ridge Planned Community - District 5
- B.O. **CLOSED PUBLIC HEARING**
- 53241 **APPROVED AS RECOMMENDED**
- RESO: 00-255*

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

59. Public Hearing to consider adopting resolution approving FY 1999-00 Weed Abatement Program Cost Report and special assessments on identified properties - All Districts
- B.O. **CLOSED PUBLIC HEARING**
- 24351 **APPROVED AS RECOMMENDED**
- RESO: 00-256*
60. Public Hearing to consider adopting resolutions approving renewal and transfer of cable television franchise agreements from Comcast Cablevision of Orange County, LLC. to Fort Myers Acquisition Limited Partnership, a subsidiary of Adelphia Communications Corp.; waiving 45-day waiting period requirement; and establishing 8/1/00 as effective date - Districts 2, 4 & 5
- B.O. **CLOSED PUBLIC HEARING**

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24351 **APPROVED AS RECOMMENDED**

RESO: 00-257 - 00-258

61. Public Hearing to consider acquisition of 113 acres of land from Trust For Public Land; approve acquisition agreement with Trust For Public Land and accept Grant Deed for acquisition of property, O'Neill Regional Park area; and make California Environmental Quality Act and other appropriate findings (\$440,000) - Districts 3 & 5

B.O. **CLOSED PUBLIC HEARING**

35241 **APPROVED AS RECOMMENDED**

62. Public Hearing to consider adopting resolution approving report and recommendation on annual adjustment of Local Parks In-Lieu Fees, unincorporated area - All Districts

B.O. **CLOSED PUBLIC HEARING**

52341 **APPROVED AS RECOMMENDED**

RESO: 00-259

PUBLIC PROTECTION

63. **Sheriff-Coroner** - Public Hearing to consider adopting resolution approving new and revised photographic reproduction fees for film processing and printing services; and make California Environmental Quality Act and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

25341 **APPROVED AS RECOMMENDED**

RESO: 00-260

GENERAL ADMINISTRATION

64. **County Executive Office** - Public Hearing to consider adopting resolution approving issuance of Apartment Development Revenue Bonds, Issue A of 2000 (Ladera Ranch Apartments) (\$19,635,000) - District 5

B.O. **CLOSED PUBLIC HEARING**

53241 **APPROVED AS RECOMMENDED**

RESO: 00-261

V. CLOSED SESSION

- SCS1. **County Counsel** - CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - THREAT TO PUBLIC SERVICES OR FACILITIES: County Counsel requests a closed session for the Board of Supervisors to consult with Sheriff-Coroner Michael Carona, or his designee, pursuant to Government Code Section 54957 - All Districts

S U M M A R Y A C T I O N M I N U T E S

B.O. HELD; NO REPORTABLE ACTION

S U M M A R Y A C T I O N M I N U T E S

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

John M. W. Moorlach - Oral RE: Presented alternative initiative re: use on Tobacco Settlement Funds to be considered by the Board on 8/8/00

BOARD COMMENTS:

None

ADJOURNED: 12:15 P.M.

21345 Adjourned in memory of Dick Nerio

31245 Adjourned in memory of Inez Fanning

31245 Adjourned in memory of Chief Steve Magliocco

51234 Adjourned in memory of Lynn Davanzo

*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BOv Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board